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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/013,099	12/06/2001	Nicholas A. Verini	7030.02.03	9555

7590

09/03/2003

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EXAMINER

CHAMBERS, TROY

ART UNIT

PAPER NUMBER

3641

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Response to Amendment

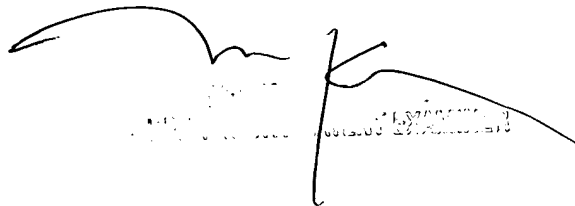
1. The reply filed on 7/10/03 is not fully responsive to the prior Office Action because: applicant has not properly responded to the restriction requirement. Applicant has elected Species A (Fig. 1) and alleges claims 1-5, 9, 10, 12-16 and 17-23 are readable thereon. Applicant further alleges that Figs. 3-6 are detailed components of Species A (Fig. 1). However, the drawing and the specification make clear that Figs. 3-7 are corresponding components of Fig. 2 (See, e.g., pg. 12, ll. 10; pg. 18, ll. 8). For example, the velocity knob of Fig. 1 is referenced as 32 while the velocity knob of Figs. 2 and 3 are referenced as 56. The gas discharge cell of Fig. 1 is referenced as 28 while the discharge cell of Figs. 2 and 3 are 52. Fig. 1 does not even disclose a conduit while Figs. 2, 3 and 4 disclose conduit 66. Figs. 4/5 (readable on claim 15) are alternate embodiments of Fig. 3 (readable on claim 14). Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in the Office action of 2/27/03. A fully responsive reply must be timely filed to avoid abandonment of this application.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Troy Chambers whose telephone number is (703) 308-5870. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone, can be reached at (703) 306-4198.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4177. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

A handwritten signature in black ink, consisting of a stylized 'M' followed by a vertical line and a horizontal stroke.